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Dep. R ef.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV619645928US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 9/1/05

Signature:

*[Signature]*  
(Isatta Smith)

705 SEP 11 2005

US PATENT & TRADEMARK OFFICE  
Docket No.: GFI/103 US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
*Strauss et al.*

Application No.: 10/541,901

Confirmation No.: Not Yet Assigned

Filed: July 11, 2005

Art Unit: Not Yet Assigned

For: STEROID RECEPTOR MODULATION OF  
GENE EXPRESSION

Examiner: Not Yet Assigned

**NOTIFICATION OF SMALL ENTITY STATUS  
AND REQUEST FOR REFUND OF FILING FEES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby notify the Patent Office that Applicants are a small entity as defined within the meaning of 37 CFR § 1.27(a), and existed as a small entity at the time of payment of the fee as herein below described. Accordingly, Applicants are entitled to payment of reduced fees under 37 CFR § 1.27(b).

On July 11, 2005 a filing fee was paid for the above-referenced patent application in which Applicants were mistakenly identified as a large entity. As a result the United States Patent and Trademark Office was incorrectly authorized to withdraw the large entity fee of \$1,800.00 instead of the small entity fee of \$900.00. Enclosed herewith is a copy of the Fee Transmittal as submitted on July 11, 2005 (Exhibit A), on which the incorrectly authorized fee is highlighted for your convenience. In addition, on July 11, 2005 a fee of \$1,500.00 was paid for a Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 C.F.R. 1.137(b) ("Petition") as a large entity. As a result the United States Patent and Trademark Office was incorrectly authorized to withdraw the large entity fee

Application No.: 10/541,901

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of \$1,500.00 instead of the small entity fee of \$750.00. Enclosed herewith is a copy of the Petition as submitted on July 11, 2005 (Exhibit B), on which the incorrectly authorized fee is highlighted for your convenience.

The undersigned authorizes the credit of \$1,650.00 to our Deposit Account No. 06-1075. A duplicate copy of this letter is enclosed for that purpose. Pursuant to 37 CFR 1.28(a), a request for refund based on establishment of small entity status is timely filed within three months of payment of the full fee. Accordingly, this request is being timely filed by the October 11, 2005 deadline (*i.e.*, three months from the July 11, 2005 filing of the subject application).

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-1075, under Order No. GFI/103 from which the undersigned is authorized to draw.

Dated: September 1, 2005

Respectfully submitted,

By   
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